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each station is classified and licensed as a mobile station.

2. FIT has opposed CICS's Petition on the grounds that it is premature and deficient on the merits. On the first point, FIT argues that it would be counterproductive for the Commission to address the coordination of the frequencies 154.570 MHz and 154.600 MHz in advance of a decision in the private land mobile spectrum refarming proceeding, PR Docket No. 92-235. With respect to the second point, FIT asserts that prior coordination of radio systems licensed on 154.570 MHz and 154.600 MHz is essential to safety in logging operations. Notwithstanding FIT's arguments, CICS continues to find little benefit to be gained by prior frequency coordination for systems employing 154.570 MHz and 154.600 MHz.

3. In its Comments, FIT makes the following arguments:

- The new channelization under consideration in the refarming proceeding will affect the frequencies 154.570 MHz and 154.600 MHz, and it is premature for the FCC to address the Petition for Rule Making before that proceeding is completed.
- Elimination of prior frequency coordination would undermine quality control and increase the number of defective applications, thereby lengthening licensing delays and wasting FCC resources.
- The frequencies at issue are used for remote signalling in high lead logging control operations and frequency coordination is necessary to prevent "lethal consequences."

4. CICS has considered, in detail, the concerns expressed by FIT. For the reasons set forth below, CICS believes that FIT's concerns, to the extent relevant at all, are grossly exaggerated.

Impact of the Refarming Proceeding

5. CICS is bewildered by FIT's argument that the matters raised in CICS's Petition for Rule Making are intertwined with the refarming proceeding. Using the same logic, one could claim that almost any issue raised regarding private land mobile operations between 35 MHz and 512 MHz falls within the scope of the refarming proceeding. Clearly, there is a vast difference in both scope and focus between the refarming proceeding and CICS's Petition.

6. For all intents and purposes, the refarming proceeding is focused on changes that would take place in the year 2000 and beyond. The benefits of refarming may not be realized for another 15 years. In distinct contrast, CICS's Petition seeks to relieve applicants of an unnecessary burden in the short term. The benefits of the action proposed by CICS would be both tangible and immediate.

7. The refarming proceeding looks to make dramatic changes that will fundamentally alter the existing private land mobile frequency allocations. Refarming affects more than 1,100 discrete frequencies. Again by way of contrast, CICS's petition looks to correct a minor facet of the Commission's overall frequency management program. It affects only two frequencies.

8. CICS's Petition is not premature. It addresses a current situation that could easily be corrected. The coordination

requirements for 154.570 MHz and 154.600 MHz deserve to be examined in the context of a proceeding that is confined in scope and independent of all the complex technical and policy considerations inherent in PR Docket No. 92-235.

Adverse Effect on Quality Control

9. FIT argues that CICS's Petition for Rule Making overlooks a fundamental function of the frequency coordination process, "namely, quality control for the hundreds of thousands of PLMRS applications filed with Gettysburg each year." (FIT Comments, page 3.) Of course, as is readily apparent, the Petition for Rule Making does not carry any implications at all for "hundreds of thousands" of applications. It affects only two frequencies.

10. Moreover, the collective experiences of the many radio dealers included in CICS's membership suggest that there is a substantial degree of unlicensed operation on 154.570 MHz and 154.600 MHz. It makes little sense to assert that frequency coordination ensures quality control when, in fact, many radio users evade the coordination and licensing requirement altogether. The coordination process works effectively when there is an accurate database of existing users. In the case of 154.570 MHz and 154.600 MHz, however, the level of unlicensed activity renders any coordination data base suspect.

11. Even if all unlicensed operations could be curtailed, the

benefits of frequency coordination are dubious. FIT's Comments hint at the inherent difficulty of trying to effectively coordinate the two frequencies in question. In FIT's words, "the nature of the logging business is such that operators frequently move from one area to another; hence reliance on only tone-code coordination is not sufficient." (FIT Comments, page 5.) Without in any way disparaging FIT's capabilities as a coordinator, it stands to reason that the effectiveness of frequency coordination is severely limited when radio users are free to move their systems from one area to another. That is the logic that prompted the Commission, in Section 90.175(f)(5) of the rules, to exempt Business and Special Industrial frequencies designated for itinerant operation from the coordination requirement.

#### Frequency Coordination Prevents "Lethal Consequences"

12. FIT's Comments assert that frequency coordination is essential to the safety of logging operations. CICS's members share FIT's concern for the safety of those who work in the logging industry. Nonetheless, FIT's assertions regarding the potential for disaster do not ring true. The two frequencies addressed in CICS's Petition are available in the Forest Products Radio Service only on a secondary basis. In accordance with Section 90.67(c)(9), licensees in the Business Radio Service have primary use of the frequencies. Therefore, systems in the Forest Products Service are necessarily at risk by the very nature of the rules. Moreover, the degree of risk is exacerbated by the incidence of unlicensed

operation and the tendency of loggers to move from one area to another.

13. These factors combined, the secondary status of Forest Products systems, the level of unlicensed operation, and the movement of logging operations from one area to another, point to the very unstable operating environment that has enveloped the frequencies 154.570 MHz and 154.600 MHz. In such an environment, even the most sophisticated frequency coordination system would be ineffective. That is the basis for the underlying premise, in CICS's Petition for Rule Making, that there is little benefit to be gained from frequency coordination.

#### Conclusion

14. CICS believes that FIT's Comments ignore the practical reality surrounding the frequencies 154.570 MHz and 154.600 MHz. Due to the low-power nature of these frequencies, there is little potential for inter-system interference. In any event, the frequency coordination system is ill-equipped to prevent interference because of the mobile nature of the operations common to the frequencies and the high degree of unlicensed use. Under all of the circumstances, there is no demonstrable purpose to be served by frequency coordination. For the reasons set forth in its Petition for Rule Making, therefore, CICS urges the Commission to proceed to a Notice of Proposed Rule Making in this matter.

**WHEREFORE, THE PREMISES CONSIDERED,** the Council of Independent Communication Suppliers respectfully submits this Reply to the Comments of the Forest Industries Telecommunications and urges the Federal Communications Commission to act in accordance with the views expressed herein.

**COUNCIL OF INDEPENDENT  
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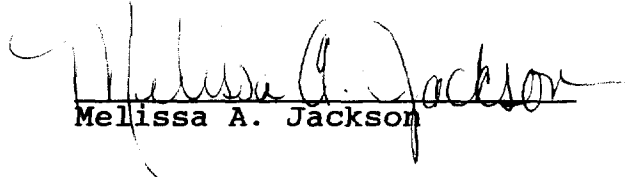
**CERTIFICATE OF SERVICE**

I, Melissa A. Jackson, do hereby certify that on the 11th day of May 1995, I forwarded to the parties listed below a copy of the foregoing Reply Statement of the Council of Independent Communication Suppliers, by first-class mail, postage pre-paid:

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